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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,647	08/19/2002	Patrice Toillon	219872US2 XPCT	7484
22850	7590	04/21/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CHANG, RICHARD	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,647

Applicant(s)

TOILLON ET AL.

Examiner

Richard Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-38 and 56-66 is/are rejected.
- 7) ☒ Claim(s) 39-55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Specification

Content of Specification

- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they

should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

The specification misses the underlined section titles as listed above (items f, g, h and i) in the appropriate positions.

Appropriate correction is recommended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 33-38 and 56-66 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent No. 6,421,348 B1 ("Gaudet et al.").

Regarding Claims 33 and 64, Gaudet et al. teaches a monitoring device (110) for a multi-channel numeric switch, the switch including a connecting interface for connecting physical connection circuits to a transmission medium (112), defining at least one of source and destination ports (121-133), and a processing unit (140) for carrying out selective switching of multi-field data grids between the different ports (121-133) comprising of a probe unit (138) coupled selectively to the connecting interface (150), and a monitoring unit (136) (see Fig. 1) configured to analyze contents of at least

part of the data grids probed by the probe unit, and configured to generate a warning signal when the part analyzed does not meet a selected condition (detection for invalidation) (See Fig. 1, Col. 6, lines 26-51).

Regarding claims 34-35, Gaudet et al. further teaches that to analyze contents of at least part of a field of each grid (See Fig. 2, Col. 5, lines 49-67).

Regarding claims 36-38, Gaudet et al. further teaches that to probe grids including at least one of a data field or a destination port address field, a source port address field or a virtual path identifier field (ATM frame) (See Col. 6, lines 1-15).

Regarding claim 56, Gaudet et al. further teaches that to measure a length of each grid and to generate the warning signal when its measured length does not correspond to a predetermined length associated with its type this verification of length forming the chosen condition (length verification) (See Col. 1, lines 28-45).

Regarding claim 57, Gaudet et al. further teaches that to make compatible at each port a number of grids that it transmits and a number of grids that it receives, so as to estimate for each port a rate of use (bandwidth verification) and to trigger invalidation of a connection between a port and the connection circuits to which it is connected when its estimated rate of use does not correspond to a predetermined rate associated with the type of grid of this port (table entry invalidating) (See Col. 1, lines 46 -55).

Regarding claims 58-60 and 63, Gaudet et al. further teaches that to make compatible each generation of a warning signal associated with each port and to trigger invalidation of the connection between a port and to trigger invalidation of the connection between a port and the connection circuits when a number of warning

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signals generated made compatible for this port is higher than a threshold (See Col. 6, lines 26-51).

Regarding claims 61-62, Gaudet et al. further teaches that to trigger rejection of the grid probed by the probe unit and to trigger the processing unit to reject the grid probed by the probe unit (See Col. 6, lines 26-51).

Regarding claims 65-66, Gaudet et al. further teaches that ports of the switch being connected to machines and computers, including a flight management computer and a flight control computer (See Col. 1, lines 10-22).

Allowable Subject Matter

3. Claims 39-55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

Reason for indicating Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter: The prior art along or in combination fails to teach or make obvious the following limitations:

"a table of correspondence specifying for each port connected to the connection circuits a list of authorized grids comprising at least the ports with which the respective port can exchange the grids, and wherein the monitoring unit is further configured to compare contents of this table of correspondence to that of at least

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one of the fields of the grid being transferred, to generate the warning signal when its field or fields analyzed designate a port that does not have a correspondence with the source port transmitting the grid, this correspondence forming a chosen condition" as recited in the dependent claim 39.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


rkc

Richard Chang
Patent Examiner
Art Unit 2616


Ajit Patel
Primary Examiner